

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
NO. 5:19-CV-456-H

KIMBERLY T. SPENCE,)	
Debtor-Appellant,)	
)	
v.)	ORDER
)	
JOHN F. LOGAN)	
Creditor-Appellee.)	

ON APPEAL FROM THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
RALEIGH DIVISION

This matter is before the court sua sponte. On October 16, 2019, the Debtor-Appellant, Kimberly T. Spence, filed a notice, which the bankruptcy court, in an abundance of caution to debtor's due process rights, treated as a Notice of Appeal of its October 9, 2019 order ("dismissal order") dismissing the debtor's bankruptcy case.

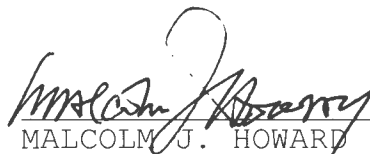
Rule 8009 of the Federal Rules of Bankruptcy Procedure requires debtor-appellant to file a designation of items to be included in the record on appeal and a statement of issues to be presented. By Memorandum dated October 15, 2019, the bankruptcy court directed the debtor-appellant to Rule 8009 for compliance, however, the debtor-appellant has failed to comply and has not filed the required designation and statement.

Additionally, her motion for leave to proceed in forma pauperis filed in the bankruptcy court was denied on October 28,

2019. In that order, the court ordered debtor-appellant to pay the fees as required by 28 U.S.C. § 1930.

Debtor-appellant has had more than six months to comply and has failed to do so. Therefore, this appeal is hereby DISMISSED for failure to comply with the rules and orders of the court.

This 7th day of July 2020.



MALCOLM J. HOWARD
Senior United States District Judge

At Greenville, NC
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